

MEMO ENDORSED

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8 MEMBER OF NJ & ILL BAR
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August 15, 2008

VIA FEDERAL EXPRESS

Honorable Frank Maas, U.S.M.J.

U.S. District Court for the Southern District of New York

Daniel Patrick Moynihan

U.S. Courthouse

500 Pearl Street

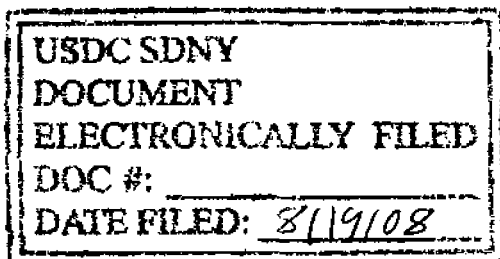
New York, New York 10007

Re: Evariste v. Securitas Security Services USA, Inc., et al. Sort these matters
Civil Action No: 07-7262 (HB) out during the

Dear Judge Maas:

We represent Defendant Securitas Security Services USA, Inc. ("Securitas").

By Order dated July 31, 2008, Your Honor directed Plaintiff to forward his responses to Securitas' interrogatories nos. 1-4 by August 14, 2008. Instead of responding as he was ordered, we received the attached letter from Plaintiff on August 13, 2008. This letter falls far short of a reasonable, good faith effort by Plaintiff to respond to those interrogatories.



The plaintiff's deposition, to which he has been directed to bring all relevant documents, is scheduled for 9/11/08. The attached letter suggests that the plaintiff is somewhat confused. Since the plaintiff is pro se, I suggest that Mr. Healey is pro se, I suggest that Mr. Healey out during the deposition. Any request for further relief is DENIED.

Fuller, USMJ,
8/18/08

MANDELBAUM SALSBURG
A PROFESSIONAL CORPORATION

Honorable Frank Maas, U.S.M.J.

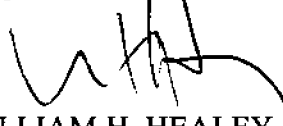
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Because said letter is merely the latest instance of Plaintiff's derogation of his discovery obligations, we respectfully request that Your Honor dismiss this action for want of prosecution.

Thank you.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. H. Healey', with a stylized flourish at the end.

WILLIAM H. HEALEY

cc: Kapiamba Evariste, *pro se* Plaintiff (via Federal Express)

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